



25-07-07 -

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/803,124

Filing Date 03/16/2004

First Named Inventor D'Auvergne

Art Unit 3644

Examiner Name Eldred

Attorney Docket Number 4359

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input checked="" type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | PTO Reply Postcard |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name Zimmerman & Cronen, LLP

Signature

Printed name

Harris Zimmerman

Date

05/02/2007

Reg. No.

16,437

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Harris Zimmerman

Date

05/02/2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.: 10/803,124

Filed: 03/16/2004

Inventor: D'Auvergne

Docket No.: 4359

Group Art Unit: 3644

Examiner: Eldred

For: SPACECRAFT AND LAUNCH SYSTEM

Mail Stop PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

05/08/2007 CHEGA1 00000017 260265 10803124

01 FC:2453

750.00 DA

RENEWED PETITION UNDER 37 CFR §1.137(b)

This Petition is respectfully submitted to withdraw a holding of abandonment of the above identified application.

On September 19, 2006, Applicant, through his attorney of record, filed a Petition to Withdraw a holding of abandonment. While the petition was filed under 37 CFR §1.181, the Office of Petitions held the same as a Petition to Revive under the provisions of 37 CFR §1.137(b), and the \$750 petition fee has been charged to the undersigned counsel's deposit account.

On April 5, the Petitions Examiner denied such Petition to Revive on the grounds that there was no statement of unintentional delay.

This Renewed Petition is intended to overcome this omission.

1. The required reply was payment of the issue fee, and this was filed on or about 05/02/2006.
2. The petition fee has already been charged to the counsel's deposit account.
3. The entire delay in filing the required reply (payment of issue fee) from the due

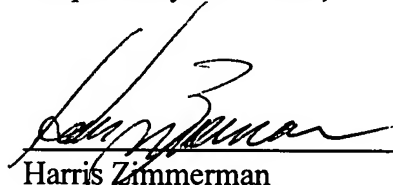
date for the reply until the filing of a grantable petition pursuant to 37 CFR §1.137 was unintentional.

Since the foregoing complies with the required statement of unintentional delay, it is respectfully requested that this Revised Petition to Revoke be granted.

Any further fees required in connection with this matter may be charged to counsel's account No. 26-0265 in the United States Patent Office.

Dated: May 2, 2007

Respectfully submitted,

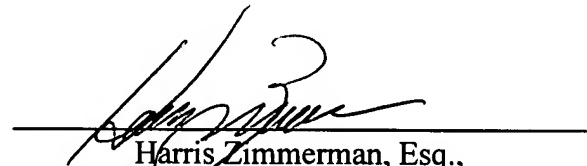


Harris Zimmerman
Registration No. 16,437
1330 Broadway, Suite 710
Oakland, California 94612
(510) 465-0828

Attorney for Applicant

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as express mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA on May 2, 2007.

Date: May 2, 2007



Harris Zimmerman, Esq.,
Attorney for Patentee
Registration No. 16,437